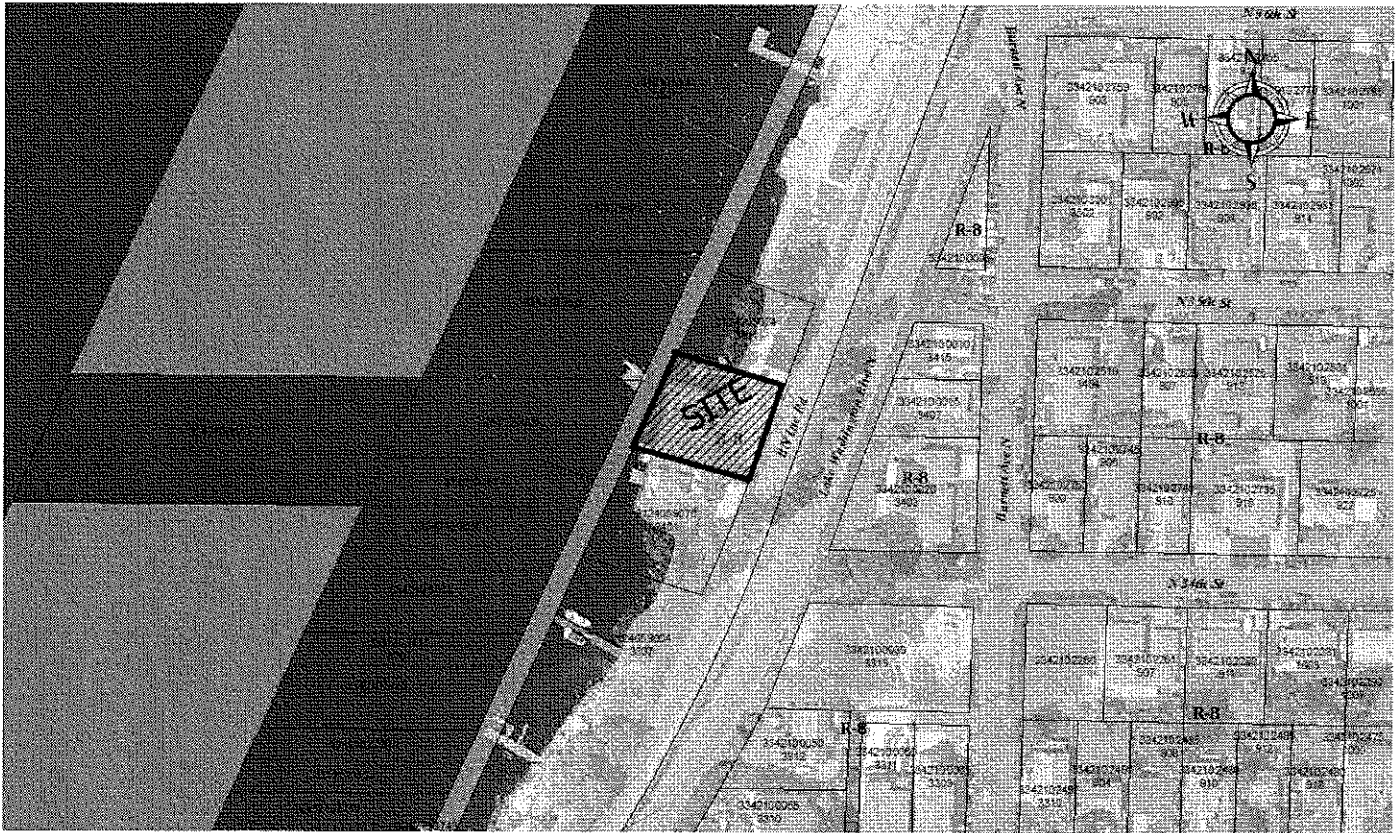


## ENVIRONMENTAL REVIEW COMMITTEE REPORT

|                              |   |   |     |
|------------------------------|---|---|-----|
| <b>ERC MEETING DATE:</b>     | April 19, 2010  |   |     |
| <b>Project Name:</b>         | Brennan 3405 Dock Construction  |   |     |
| <b>Owner:</b>                | Jerry Brennan, 3405 Lake Washington Blvd. N, Renton, WA 98056   |   |     |
| <b>Applicant:</b>            | Same as above   |   |     |
| <b>Contact:</b>              | Same as above   |   |     |
| <b>File Number:</b>          | LUA10-011, ECF, SM, SMC   |   |     |
| <b>Project Manager:</b>      | Gerald Wasser, Associate Planner  |   |     |
| <b>Project Summary:</b>      | <p>The applicant is requesting Environmental (SEPA) Review, a Shoreline Conditional Use Permit, and a Shoreline Substantial Development Permit for the construction of a new 60-foot long, 4-to 8-foot wide dock and the installation of a pre-manufactured, freestanding, portable, marine grade aluminum boatlift in association with a single-family residence on the shore of Lake Washington, a Shoreline of Statewide Significance. The project site is a 10,264 square foot lot in the Residential - 8 dwelling units per acre (R-8) zone. Dock construction would be accomplished by driving six 8-inch steel piles via a barge-mounted drop hammer pile driving system. Because boatlifts are not specifically identified in the Shoreline Master Program regulations, approval of a Shoreline Conditional Use permit would be required prior to installation. The applicant is also proposing to remove one of two existing docks and move the other dock 3-feet into deeper water. The applicant proposes to place 25 cubic yards of salmon spawning gravel along the property shoreline. Construction would take place within the Washington Department of Fish and Wildlife "fish window", July 16 – September 30.</p> |   |     |
| <b>Project Location:</b>     | 3405 Lake Washington Blvd. N  |   |     |
| <b>Exist. Bldg. Area SF:</b> | N/A   | <b>Proposed New Bldg. Area (footprint):</b> | N/A |
|                              |   | <b>Proposed New Bldg. Area (gross):</b>     | N/A |
| <b>Site Area:</b>            | 10,264 sf   | <b>Total Building Area GSF:</b>             | N/A |
| <b>STAFF RECOMMENDATION:</b> | <b>Staff Recommends that the Environmental Review Committee issue a Determination of Non-Significance - Mitigated (DNS-M).</b>  |   |     |

**Project Location Map**



**PART ONE: PROJECT DESCRIPTION / BACKGROUND**

The project site is located on the eastern shore of Lake Washington along Lake Washington Boulevard North. Lake Washington is designated as a Shoreline of Statewide Significance and is considered to be Class 1 water subject to the City of Renton Shoreline Master Program. The shoreline is classified as an "Urban Environment" in the City's Shoreline Regulations. No trees would be removed as a result of this project. The existing shoreline consists of a 6-foot high rock bulkhead extending to the waterline. This designation permits a variety of uses within the shoreline area provided the use complies with the Master Program. Two docks currently exist on the project site. The applicant proposes to remove one of these docks, a 256 square foot floating dock, to accommodate construction of the proposed dock. In addition, the applicant is proposing to relocate and reconstruct the remaining existing dock 3-feet waterward of its current location. The reconstructed dock would retain its current dimensions of 12-feet by 6-feet, would be supported by four 6-inch diameter steel piles, and would have a fully-grated deck. The existing docks are considered to be legally non-conforming. However, boatlifts are not outright permitted uses and, therefore, a conditional use permit is required and will be reviewed by the Hearing Examiner.

The proposed project encompasses the construction of a 4 to 8-foot wide, 60-foot long dock. The dock would be fully-grated, supported by six 8-inch diameter steel piles connected by Glu-Lam beams and steel cross beams. The total dock size would be 330 square feet. The project also includes the assembly and installation of a freestanding, pre-manufactured, marine grade aluminum boatlift.

The dock construction would be accomplished by driving six 8-inch diameter galvanized steel piles via a barge mounted drop-hammer pile driving system. Construction and staging of materials and equipment would be conducted using a barge. Any storage of materials on land would be landward of the Ordinary High Water Line (OHWL). All construction debris would be removed from the site and appropriately disposed of on land.

The proposed boatlift would be approximately 10-feet long by 10-feet wide and would rest directly on the lake bottom on four 12-inch by 12-inch footpads. The boatlift would be operated by a solar-powered battery using non-toxic, water-soluble hydraulic fluid. The boatlift would be assembled using common hand tools on the barge and moored on Lake Washington during construction of the dock.

Project construction, assembly and installation would take place during the State Department of Fish and Wildlife established construction window, July 16 through September 30. No job shack would be needed; no off-site improvements or excavation are proposed for the project; and 25 cubic yards of salmon spawning gravel would be placed along the shoreline. No trees are to be removed. The estimated project value is \$35,000.00.

Comments from the Muckleshoot Indian Tribe Fisheries Division (Exhibit 7) and the Washington Department of Fish and Wildlife (Exhibit 8) were received. Comments pertaining to environmental issues have been addressed within the body of this report and other issues will be addressed under separate cover to the commenters.

**PART TWO: ENVIRONMENTAL REVIEW**

In compliance with RCW 43.21C.240, the following environmental (SEPA) review addresses only those project impacts that are not adequately addressed under existing development standards and environmental regulations.

**A. Environmental Threshold Recommendation**

Based on analysis of probable impacts from the proposal, staff recommends that the Responsible Officials:

**Issue a DNS-M with a 14-day Appeal Period.**

## **B. Mitigation Measures**

1. The applicant shall use the recommendations identified in the Lake Study, prepared by The Watershed Company, dated February 10, 2010; and
2. Prior to commencement of any removal or construction activities floating silt containment curtains shall be installed in the lake around the demolition/construction operation to control dispersion of any accidental short term disturbance of sediments. The silt containment curtains shall remain in place until demolition/construction activities are completed.

## **C. Exhibits**

|           |  |
|-----------|--|
| Exhibit 1 | Vicinity Map   |
| Exhibit 2 | Existing Plan View                                       |
| Exhibit 3 | Proposed Plan View                                       |
| Exhibit 4 | Proposed Top View and Proposed Elevation View            |
| Exhibit 5 | Planting Plan  |
| Exhibit 6 | Zoning Map   |
| Exhibit 7 | Comments from Muckleshoot Indian Tribes                  |
| Exhibit 8 | Comments from Washington Department of Fish and Wildlife |

## **D. Environmental Impacts**

*The Proposal was circulated and reviewed by various City Departments and Divisions to determine whether the applicant has adequately identified and addressed environmental impacts anticipated to occur in conjunction with the proposed development. Staff reviewers have identified that the proposal is likely to have the following probable impacts:*

### **1. Earth**

**Impacts:** Other than the placement of 25 cubic yards of salmon spawning gravel, the proposed project does not require any fill or excavation of soils. The dock would be constructed using barge mounted equipment and the boatlift would be assembled using common hand tools.

**Mitigation Measures:** No mitigation measures are recommended.

**Nexus:** Not applicable.

### **2. Water**

**Impacts:** Construction and demolition activities could potentially cause degradation of water quality. An analysis of potential biological impacts was included in the Lake Study – For the Proposed Pier and Boatlift at 3405 Lake Washington Blvd. N, prepared by The Watershed Company, dated February 10, 2010, and submitted with the project application. That analysis identifies construction methods which would minimize such impacts. These methods include: no in-water construction activity between July 16 and September 30; stockpiling construction debris in designated upland areas above the Ordinary High Water Line (OHWL) or on the construction barge pending off-site disposal; the barge or work boat would not be allowed to ground; all construction debris would be disposed of on land in such a manner that it cannot enter the waterway or cause water quality degradation; and, implementing sediment control measures during and following installation of proposed plantings, including measures for both short term and permanent

stabilization of soils. Staff recommends that the applicant be required to use the recommendations contained in the Lake Study, prepared by The Watershed Company, dated February 10, 2010. Staff further recommends that floating silt containment curtains be deployed in the lake around the construction operation to control dispersion of any accidental short term disturbance of sediments. Such containment curtains shall be installed prior to commencement of any demolition/construction activities and shall remain in place until demolition/construction activities are completed.

**Mitigation Measures:**

1. The applicant shall use the recommendations identified in the Lake Study, prepared by The Watershed Company, dated February 10, 2010; and
2. Floating silt containment curtains shall be installed in the lake around the construction operation to control dispersion of any accidental short term disturbance of sediments. Such containment curtains shall be installed prior to commencement of any demolition/construction activities and shall remain in place until demolition/construction activities are completed.

**Nexus:** SEPA, Shoreline Master Program

**3. Vegetation**

**Impacts:** The proposed dock and boatlift would be installed within and over Lake Washington. As identified in the Lake Study (The Watershed Company, February 10, 2010), the high bulkhead at the site greatly reduces the potential for the natural support of shoreline vegetation. Currently, on-site vegetation is primarily mowed lawn with a narrow band of Cotoneaster along the bulkhead. The shoreline substrate adjacent to the bulkhead primarily consists of sand intermixed with gravel and rock which extends offshore for a distance of approximately 25-feet at which point a mat of Eurasian milfoil begins. As stated in the Lake Study a shoreline planting plan has been prepared for the project site (see Exhibit 5). The planting plan specifies native riparian vegetation which would be installed along much of the shoreline. A variety of native plants would be used including Vine maple, Hooker's willow, Red-osier dogwood, Salal, Ocean spray, Red flowering currant, and Kinnikinnick. These plantings would provide greater cover and forage opportunities for wildlife and would enhance shoreline stabilization.

Because the Lake Study indicates that milfoil will be reduced, the Muckleshoot Indian Tribe Fisheries Division in its comments asked questions regarding the method of milfoil removal and how much milfoil would be removed. The applicant has responded that milfoil would be removed by mechanical harvesting with off-site disposal; and, that milfoil would be removed from the 20-foot near shore along the entire north/south length of the project site.

In its comments on the proposed project, the Muckleshoot Indian Tribe has recommended the planting of native willows along the existing bulkhead to increase overhanging vegetation to benefit juvenile salmon. The applicant has responded that there is only a small area available for plantings and that previous plantings currently provide overhanging vegetation while still providing views of Lake Washington for the residents of the property.

**Mitigation Measures:** No further mitigation necessary.

**Nexus:** Not applicable

#### **4. Wildlife**

**Impacts:** The proposed project would be constructed, assembled and installed within and over Lake Washington. Salmonids known to be present in southern Lake Washington include Puget Sound Chinook salmon, Coho salmon, sockeye salmon, steelhead trout, bull trout and cutthroat trout. Puget Sound Chinook, Puget Sound steelhead and bull trout are listed as threatened by the Endangered Species Act. The proposed pier would not likely result in adverse impacts to fish migration routes or spawning areas. Impacts expected from the proposed project include: increased water turbidity (shoreline erosion and sediment suspension) during the construction period could temporarily disturb feeding activities; pile driving would temporarily introduce noise and vibration that could disrupt feeding activity and cause avoidance movements away from the site; increased shading of the lake bottom could reduce abundance of available prey organisms (aquatic invertebrates) for fish by decreasing plant growth. Shading could also interfere with behavior and migration patterns of juvenile salmon; the presence of new underwater structures could enhance nesting habitat for bass and thus increase predation pressure on juvenile salmon; the presence of new underwater structures could disrupt water/sediment transport patterns and accelerate beach erosion or increase availability of spawning habitat for predator fish species such as smallmouth bass; and, increased boat usage of the site could result in increased disturbance (sediment resuspension, water pollution) of the shallow fish habitat. The analysis identifies design features which would mitigate the impacts. The elevated fixed pile dock with grated decking, the absence of deck skirting, and dock positioning as far offshore as practical would aid in minimizing the impact on lake biota and shoreline buffer.

During dock construction, 25 cubic yards of salmon spawning gravel would be placed along the shoreline. The spawning gravel would enhance the opportunity for shore spawning sockeye and kokanee salmon to use the area and improve existing conditions. In its comments on the proposed project the Muckleshoot Indian Tribe Fisheries Division inquired about the depth of the salmon spawning gravel. The applicant has indicated such spawning gravel would be 6-to 9-inches deep. The Washington Department of Fish and Wildlife, in its comments on the proposed project, indicated that the "fish window for this part of Lake Washington is from July 16 through September 30.

**Mitigation Measures:** No further mitigation necessary.

**Nexus:** Not applicable

#### **5. Noise/Vibration**

**Impacts:** Pile driving activities can generate considerable noise and vibration which can be harmful or fatal to small fish. Minimizing fish exposure to pile driving activities by following scientifically based construction timing restrictions is an accepted method for avoiding or minimizing adverse effects and will be limited to three to five days for the proposed project. Pile driving will take 3-to 5-days. Additionally, construction activities would only take place during the established Washington State Department of Fish and Wildlife construction window, July 16 through September 30.

**Mitigation Measures:** No further mitigation is necessary.

**Nexus:** Not applicable.

### E. Comments of Reviewing Departments

The proposal has been circulated to City Department and Division Reviewers. Where applicable, their comments have been incorporated into the text of this report and/or "Advisory Notes to Applicant."

- ✓ **Copies of all Review Comments are contained in the Official File and may be attached to this report.**

**Environmental Determination Appeal Process:** Appeals of the environmental determination must be filed in writing on or before 5:00 PM, May 7, 2010.

Renton Municipal Code Section 4-8-110.B governs appeals to the Hearing Examiner. Appeals must be filed in writing at the City Clerk's office along with the required fee. Additional information regarding the appeal process may be obtained from the City Clerk's Office, Renton City Hall - 7th Floor, 1055 S. Grady Way, Renton WA 98057.

#### **ADVISORY NOTES TO APPLICANT**

**The following notes are supplemental information provided in conjunction with the administrative land use action. Because these notes are provided as information only, they are not subject to the appeal process for the land use actions.**

##### **Planning:**

1. Construction hours are from 7:00 am to 8:00 pm Monday through Friday. Construction hours on Saturdays are from 9:00 am to 8:00 pm and no work on Sundays.

##### **Water:**

1. Cross connection control, inspection and certification is required for any water service to the dock.
2. A water service permit and inspection is required if water service is extended to the dock.

##### **Sewer:**

1. Location and protection of the existing sanitary sewer force main as shown on the drawings in the vicinity of the proposed dock is required.

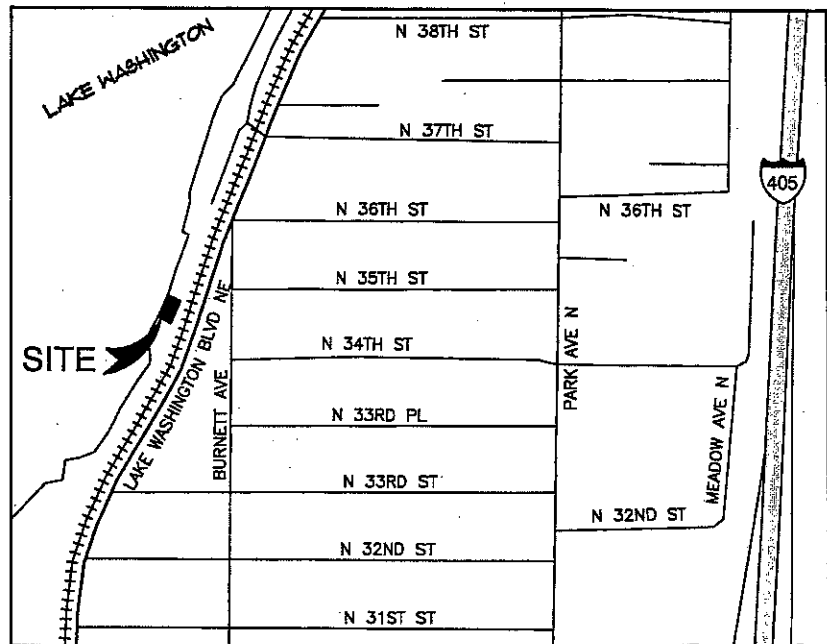
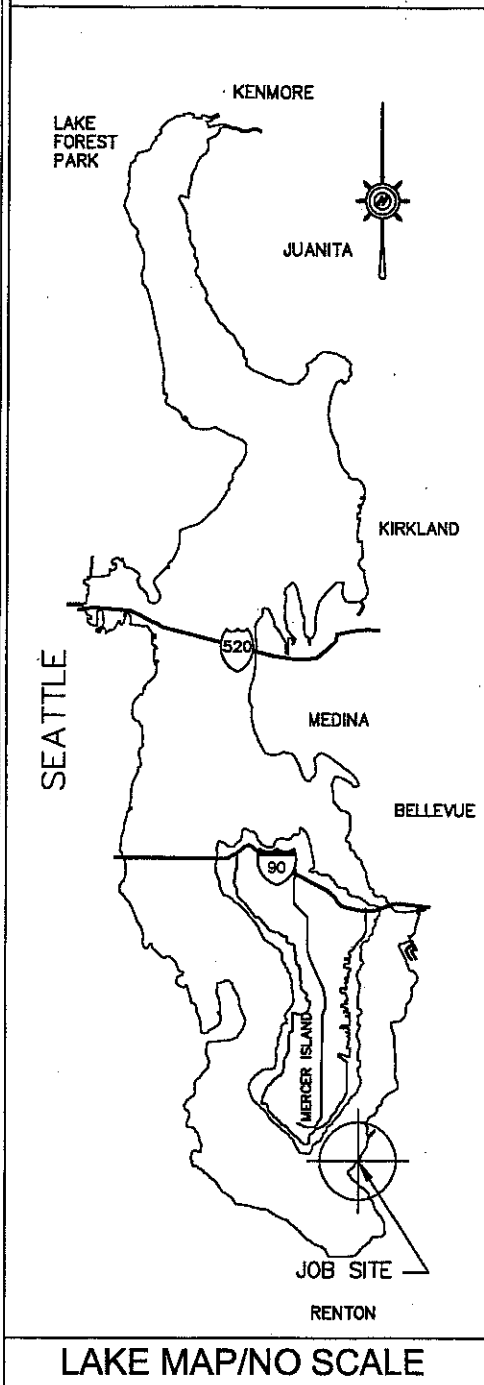
##### **General:**

1. All plans shall conform to the Renton drafting Standards.
2. A construction permit may be required. Utility and building construction permits are separate. When plans are complete three copies of the drawings, a construction estimate, application, and appropriate fees shall be submitted at the City Hall sixth floor counter.

##### **Property Services:**

1. This property is not a legal lot.

## JERRY BRENNAN PIER



### VICINITY MAP/NO SCALE

SEC: 31-24N-05E  
 LAT: 47° 31' 21.8204"  
 LONG: 122° 22' 19.1722"

City of Renton  
 Planning Division

FEB 19 2010

### LEGAL DESCRIPTION:

ALL THAT CERTAIN PARCEL 2 AS SHOWN ON PLAT OF BOUNDARY SURVEY FOR JERRY BRENNAN RAILROAD LEASE ACQUISITION, RECORDED JANUARY 29, 1999 IN BOOK 127 OF SURVEYS AT PAGE 155, AS RECORDER'S CERTIFICATE NO. 9901299008, RECORDS OF KING COUNTY, WASHINGTON, LYING IN SECTION 31, TOWNSHIP 24 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, KING COUNTY, WASHINGTON

### SHEET INDEX:

- |  |  |
|--|--|
| 1. COVER PAGE                                | 7. 60' DOCK: PROPOSED PROFILE                |
| 2. EXISTING SITE PLAN                        | 8. 12' DOCK: PROPOSED TOP AND ELEVATION VIEW |
| 3. EXISTING PLAN VIEW                        | 9. 60' DOCK SECTION VIEW                     |
| 4. PROPOSED SITE PLAN                        | 10. 12' DOCK: SECTION VIEW                   |
| 5. PROPOSED PLAN VIEW                        | 11. CONSTRUCTION DETAILS                     |
| 6. 60' DOCK: PROPOSED TOP AND ELEVATION VIEW |  |

PAGE 1/11

APPLICANT: JERRY BRENNAN  
 SITE ADD. 3405 LK WA BLVD N  
 RENTON, WA 98056  
 MAIL ADD. SAME AS ABOVE  
 PAGE: 1 OF 11 DATE: 02/04/2010

ADJACENT OWNERS:  
 ① JERRY BRENNAN  
 3411 LK WA BLVD N  
 ② MARILEE KARNOFSKI  
 3401 LK WA BLVD N  
 LOCAL JURISDICTION:  
 CITY OF RENTON

PROPOSED: CONSTRUCT A NEW 60' PIER;  
 REBUILD A SMALL 6'x12' PIER;  
 RELOCATE EXISTING JETSKI LIFT.  
 PURPOSE: PROVIDE MOORAGE AND  
 MAINTAIN NATIVE VEGETATION INTEGRITY  
 DATUM: C.O.E. 0,0' EST. 1919



## MARINE RESTORATION & CONSTRUCTION LLC

P.O. BOX 884 Kirkland, WA 98083-0884

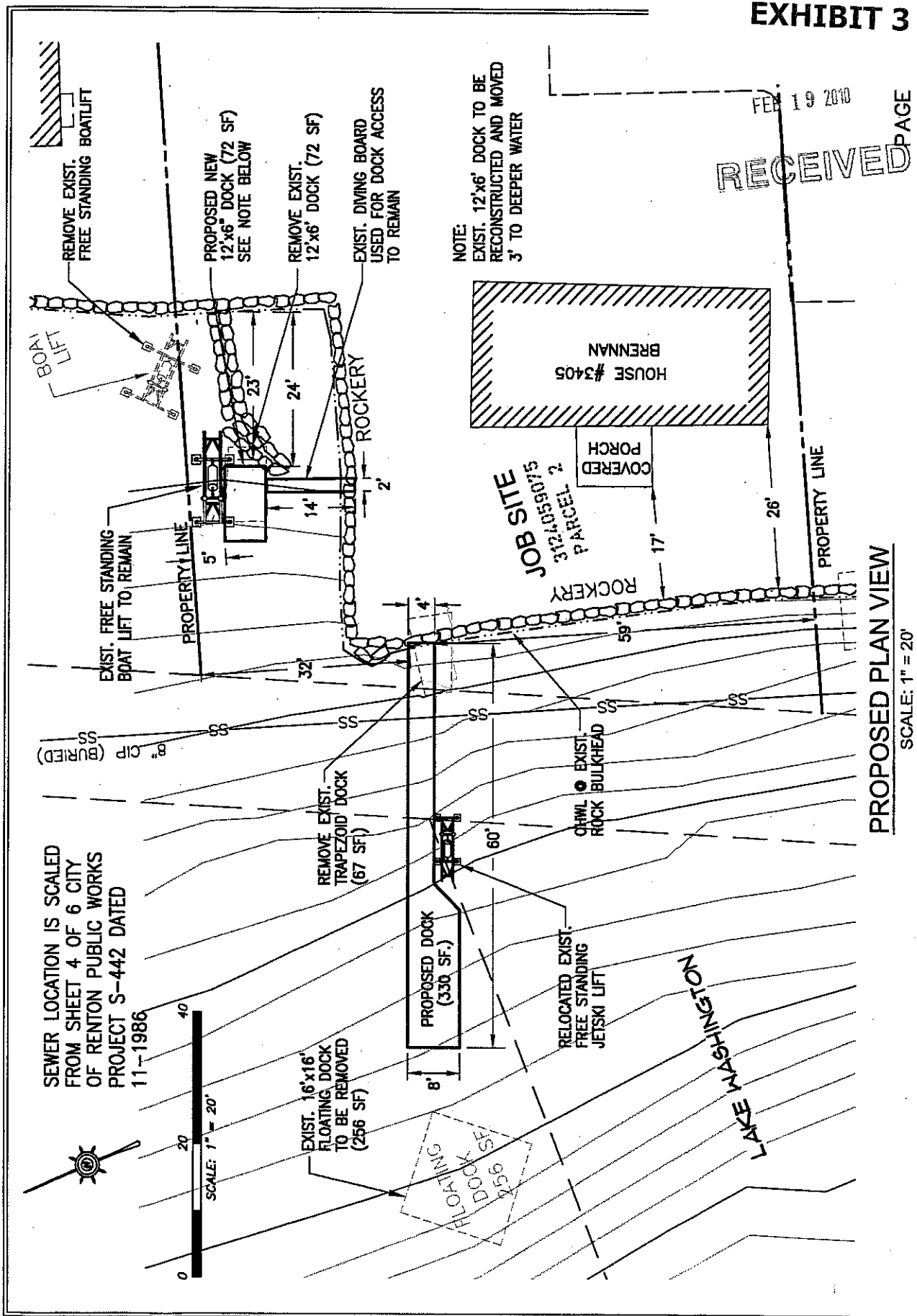
PHONE: (425) 576-8661  
 FAX: (425) 576-8669

E-MAIL: DOCKS@MARINELLC.COM  
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FEB 19 2010  
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# MARINE RESTORATION & CONSTRUCTION LLC

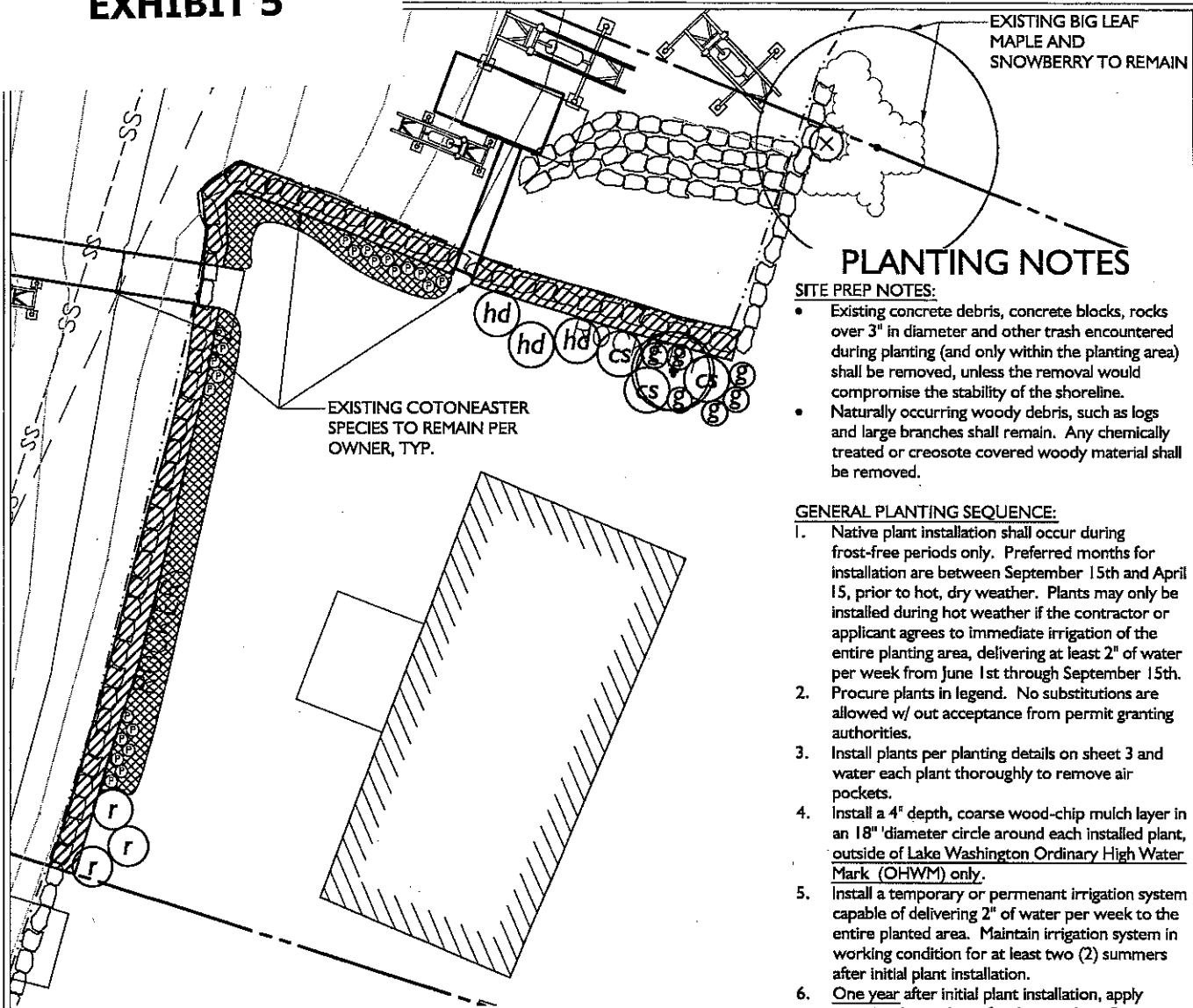
MAIL: P.O. BOX 884, Kirkland, WA 98083 - 0884  
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\* SALMON SPAWNING MIX ( $\pm 25$  cy):  
CLEAN, WASHED, 2", 5/8" AND PEA  
GRAVEL MIXED 1/3 EA.

# EXHIBIT 5



## PLANTING NOTES

### SITE PREP NOTES:

- Existing concrete debris, concrete blocks, rocks over 3" in diameter and other trash encountered during planting (and only within the planting area) shall be removed, unless the removal would compromise the stability of the shoreline.
- Naturally occurring woody debris, such as logs and large branches shall remain. Any chemically treated or creosote covered woody material shall be removed.

### GENERAL PLANTING SEQUENCE:

- Native plant installation shall occur during frost-free periods only. Preferred months for installation are between September 15th and April 15, prior to hot, dry weather. Plants may only be installed during hot weather if the contractor or applicant agrees to immediate irrigation of the entire planting area, delivering at least 2" of water per week from June 1st through September 15th.
- Procure plants in legend. No substitutions are allowed w/ out acceptance from permit granting authorities.
- Install plants per planting details on sheet 3 and water each plant thoroughly to remove air pockets.
- Install a 4" depth, coarse wood-chip mulch layer in an 18" diameter circle around each installed plant, outside of Lake Washington Ordinary High Water Mark (OHWM) only.
- Install a temporary or permanent irrigation system capable of delivering 2" of water per week to the entire planted area. Maintain irrigation system in working condition for at least two (2) summers after initial plant installation.
- One year after initial plant installation, apply organic, slow-release fertilizer such as Osmocote or Perfect Blend 4-4-4 to each plant outside of Lake Washington OHWM mark only.

## PLANT SCHEDULE

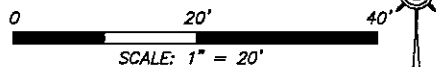
| SYMBOL        | NAME                                      | SIZE   | QTY. | REMARKS                           | SYMBOL                        | NAME   | SIZE    | QTY. | REMARKS  |
|---------------|---|--------|------|-----------------------------------|-------------------------------|--|---------|------|--|
| <b>TREES</b>  |   |        |      |                                   | <b>PERENNIALS &amp; FERNS</b> |  |         |      |  |
| (X)           | ACER ORCINATUM<br>VINE MAPLE              | 5 GAL. | 1    | MULTI-STEM,<br>WELL BRANCHED      | (P)                           | CASTILLEJA MINATA<br>COMMON RED PAINTBRUSH             | 1 GAL.  | 1    | SOURCE AND INSTALL AT<br>LEAST 2 OF THE PERENNIAL<br>SPECIES |
|               | SAUX HOOKERIANA<br>HOOKERS WILLOW         | 1 GAL. | 1    | MULTI OR SINGLE<br>STEM, VIGOROUS |                               | DELPHINIUM MENZIESII<br>MENZIES LARKSPUR               | 1 GAL.  | 22   |  |
| <b>SHRUBS</b> |   |        |      |                                   |                               | PENSTEMON SERRULATUS<br>COAST PENSTEMON                | 1 GAL.  |      |  |
| (CS)          | CORNUS STOLONIFERA<br>RED TWIG DOGWOOD    | 2 GAL. | 3    | FULL,<br>WELL-BRANCHED            |                               | POLYSTICHUM MUNITUM<br>SWORD FERN                      | 1 GAL.  |      |  |
| (g)           | GAULTHERIA SHALLON<br>SALAL               | 1 GAL. | 6    | FULL                              | <b>GROUND COVER</b>           |  |         |      |  |
| (hd)          | HOLODISCUS DISCOLOR<br>OCEAN SPRAY        | 2 GAL. | 3    | FULL,<br>WELL-BRANCHED            | (G)                           | ARCTOSTAPHYLOS UVA-URSI<br>KONIKINICK                  | 4" POTS | 108  | 18" O.C.   |
| (r)           | RIBES SANGUINEUM<br>RED FLOWERING CURRANT | 2 GAL. | 3    | FULL,<br>WELL-BRANCHED            | (H)                           | EXISTING COTONEASTER<br>SPECIES TO REMAIN PER<br>OWNER |         |      |  |

PLANTING DESIGN BY:



750 Sixth Street South  
Kirkland WA 98033

p 425.822.5242 f 425.827.8136  
www.watershedco.com  
Science & Design



PAGE 2/3



MARINE RESTORATION & CONSTRUCTION LLC

MAIL: P.O. BOX 884, Kirkland, WA 98083 - 0884

E-MAIL: PIERS@MARINELLC.COM

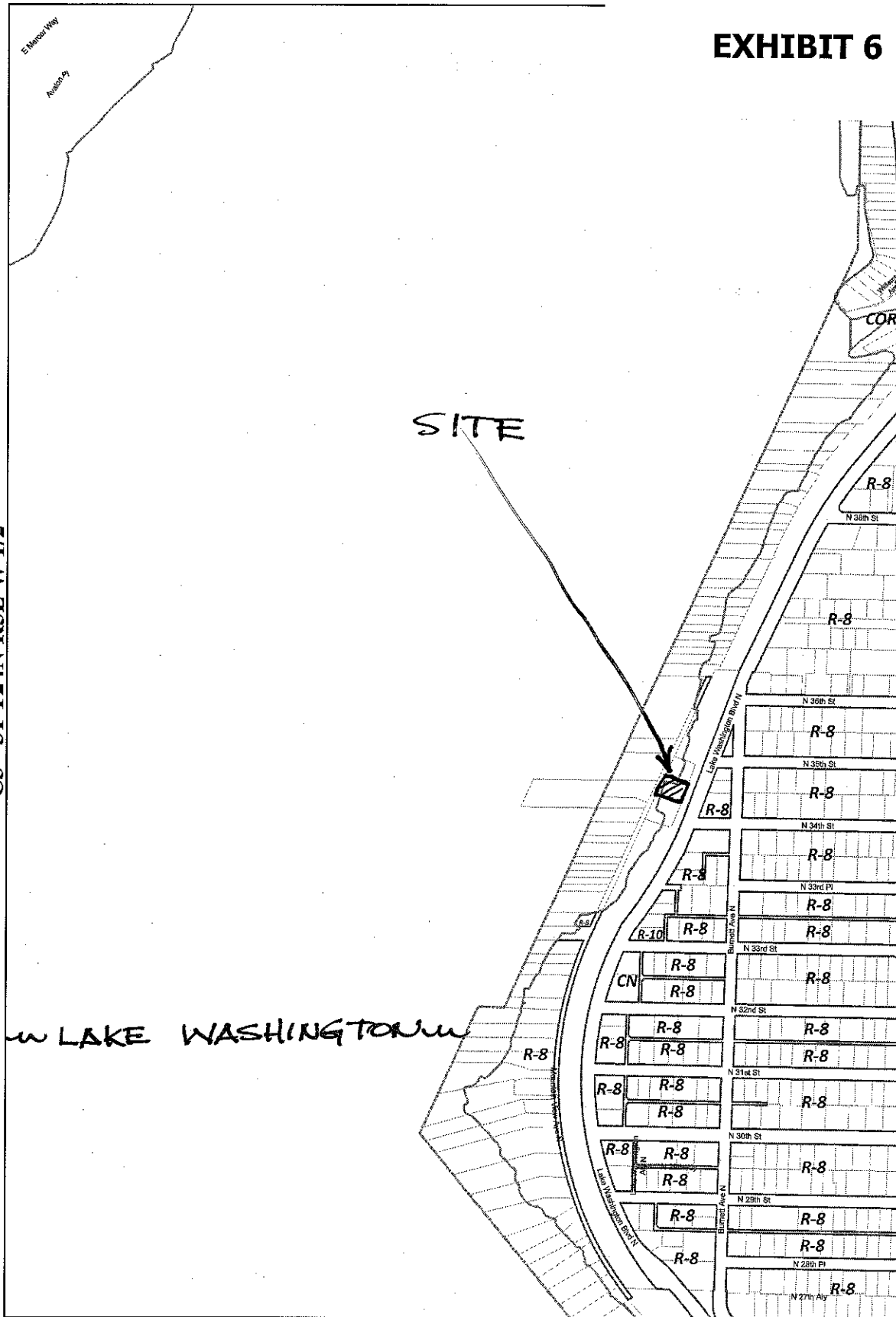
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B3 - 30 T23N R5E E 1/2

# EXHIBIT 6

C3 - 31 T24N R5E W 1/2

C4 - 32 T24N R5E W 1/2

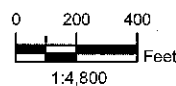
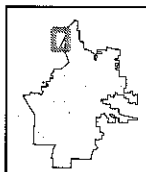


ZONING MAP BOOK  
PW TECHNICAL SERVICES  
PRINTED ON 11/13/09

This document is a graphic representation, not  
guaranteed to survey accuracy, and is based on  
the best information available as of the date shown.  
This map is intended for City display purposes only.



D3 - 06 T23N R5E E 1/2



## C3

31 T24N R5E E 1/2

**From:** Karen Walter [Karen.Walter@muckleshoot.nsn.us]  
**Sent:** Thursday, April 08, 2010 11:49 AM  
**To:** Gerald Wasser  
**Subject:** Brennan 3405 Dock Construction, LUA10-11,ECF, SMC, SM, Notice of Application and Proposed Determination of Non-Significance, Mitigated

Jerry,

The Muckleshoot Indian Tribe Fisheries Division has reviewed the above referenced Notice of Application and Proposed MDNS, environmental checklist, project drawings, and Lake Study. Thank you for sending all of these materials as they greatly facilitated our review. We have some initial questions and comments as noted below.

1. The applicant is proposing to construct a new 330 square foot dock perpendicular to the eastern shoreline (E/W orientation) and replace an existing 72 square foot dock that also on the property and oriented N/S that is parallel to the eastern shoreline with a same sized dock. Why does the applicant need both docks to provide private boat moorage?  
Only one dock should be allowed for this property to private boat moorage and should size to accommodate the boatlift and the jetski lift to enable the removal of the trapezoid dock and the existing dock that is adjacent to the cove rockery within OWHM and the existing rock bulkhead. Otherwise the project will result in a net increase in overwater coverage, causing additional impacts to juvenile salmon habitat.
2. The planting plan should be modified to include more native willows, particularly along the bulkhead length that is oriented N/S. We recommend that the proposed red flowing currant be replaced with 1 or 2 native willows and that additional willows should be added elsewhere along the N/S bulkhead to increase overhanging vegetation to benefit juvenile salmon
3. The proposed addition of 25 cubic yards of salmon spawning mix is a good mitigation measure. How much of the shoreline will be covered with the 25 cubic yards of mix based on the proposed depth of the mix and the length of the existing shoreline? A figure showing the area and depth of coverage of the shoreline would be helpful.
4. The Lake Study (page 12) indicates that milfoil in the nearshore will be reduced. How is the project proposing to reduce milfoil? How much milfoil will be reduced as a result of the project?

We appreciate the opportunity to comment on this proposal and look forward to the City's responses. We may have additional comments.

Thank you,  
Karen Walter  
Watersheds and Land Use Team Leader

*Muckleshoot Indian Tribe Fisheries Division*  
39015 172<sup>nd</sup> Ave SE  
Auburn, WA 98092  
253-876-3116

**From:** Bieber, Alisa J (DFW) [Alisa.Bieber@dfw.wa.gov]  
**Sent:** Wednesday, April 14, 2010 3:29 PM  
**To:** Gerald Wasser  
**Cc:** Karen.Walter@muckleshoot.nsn.us  
**Subject:** Brennan dock

Although the official comment period has ended, I hope you will be able to receive my comments since the public hearing is still nearly a month away.

1. The project description is unclear; it states that "in order to construct a new dock, the applicant would need to remove both existing docks" yet the plans show removing one, rebuilding the other in a new location and building a new, larger one.
2. The project description also does not mention rebuilding the second pier (as the plans show), but states that it shall be moved 3 feet deeper. This is not reflected in the drawings.
3. Although both docks are legally non-conforming, does this apply to the diving board access as well?
4. In order to build a new pier, both current docks should be removed. This is stated in your shoreline code, and I do not see any justification for exempting them from these requirements. If they are looking at improvements in their water access, they should bring the entire shoreline up to current standards.
5. In lieu of removal of the second dock, they could also remove the existing groin.
6. If they are completely re-building the second pier in a new location, why is that not considered a new pier?
7. The fish window for that location on the lake is July 16-September 30<sup>th</sup>.

Please contact me if you have questions or if I should address my comments elsewhere.

Sincerely,

Alisa Bieber  
WDFW Area Habitat Biologist  
425-313-5681